

**FILE COPY**

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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In the Matter of Disciplinary Proceedings Against  
JEROME J. HANSEN, D.D.S.

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FINAL DECISION AND ORDER  
94 DEN 105

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The parties to this proceeding for purposes of §227.53, Stats., are:

Jerome J. Hansen, D.D.S.  
2800 Westhill Drive  
Wausau, WI 54401

Wisconsin Dentistry Examining Board  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708

Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708

The parties in the matter agree to the attached stipulation. Accordingly, the Board makes the following

FINDINGS OF FACT

1. Jerome J. Hansen, D.D.S., was born on June 17, 1943, and was licensed to practice dentistry in the State of Wisconsin pursuant to license number 5000305, granted on June 15, 1966. He practices in Wausau, Wisconsin.
2. In June, 1987, Dr. Hansen began orthodontic treatment on Patient D.S., for purely cosmetic purposes. Dr. Hansen proposed a treatment plan by which D.S., a 38-year old woman, could have two teeth moved into a more aesthetically pleasing position by having two upper molars extracted and by using an appliance. The patient denies Hansen's assertion that he advised patient that braces would be part of the treatment regimen. Patient D.S. had previously resisted Dr. Hansen's suggestion of orthodontia in the past.
3. After approximately one year of the treatment program, Dr. Hansen informed Patient D.S. that the treatment was not working as he had planned. Hansen believed that this was in part due to the patient's non-compliance with use of the appliance. He then began to treat her with braces.

4. After approximately one year of wearing braces and suffering from increasing discomfort and inability to bite or chew food, Hansen recommended a second opinion, and D.S. sought a second opinion. As a result of that consultation, Patient D.S. learned that her lower jaw was malaligned with her upper jaw, that Hansen had extracted the wrong teeth, that her occlusion was irretrievably lost, and that the only possible remedy for her lack of occlusion and constant pain was orthognatic surgery.

5. Patient D.S. underwent orthognatic surgery in 1993, following two years of orthodontic treatment under the care of an orthodontic specialist. Despite the reconstructive surgery, she has some permanent restriction in the use of her jaw, and some recurrent pain.

#### CONCLUSIONS OF LAW

1. The Dentistry Examining Board has jurisdiction in this matter pursuant to s. 447.07(3), Stats.
2. By commencing a treatment program which was beyond the scope of the education, training and experience he possessed, and which was not suited to the particular patient, Dr. Hansen violated s. DE 5.02(5), Wis. Admin. Code.

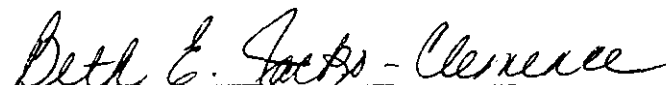
#### ORDER

Now, therefore, it is ordered that Jerome J. Hansen, D.D.S., be and hereby is reprimanded.

It is further ordered that the license previously issued to Jerome J. Hansen be and hereby is limited, with the condition that Dr. Hansen shall not perform any orthodontic treatment except under the direct supervision of a board-eligible or board certified orthodontist, until further order of the Board on petition by Dr. Hansen.

Dated this 1st day of May, 1996.

WISCONSIN DENTISTRY EXAMINING BOARD

  
A Member of the Board

State of Wisconsin  
Before the Dentistry Examining Board

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In the Matter of Disciplinary Proceedings Against

Jerome J. Hansen, D.D.S.  
Respondent  
Case No. 94 DEN 105

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Stipulation

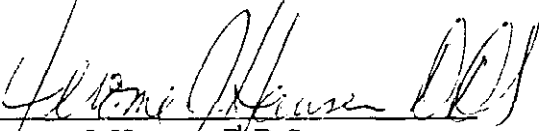
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It is hereby stipulated between Jerome J. Hansen, D.D.S., personally and on his own behalf and Mark P. Wendorff, Dr. Hansen's counsel, and James E. Polewski, Attorney for the Division of Enforcement, Department of Regulation and Licensing, as follows:

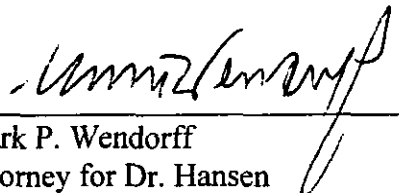
1. This stipulation is entered in resolution of the pending matter concerning Dr. Hansen's license. The Stipulation and the proposed Final Decision and Order shall be presented directly to the Dentistry Examining Board for its consideration and adoption.
2. In resolution of these proceedings, Dr. Hansen consents to the entry of the attached Final Decision and Order.
3. Dr. Hansen is aware of and understands each of his rights, including:
  - the right to a hearing on the allegations against him, at which the state would have the burden of proving the allegations by a preponderance of the evidence,
  - the right to confront and cross-examine the witnesses against him,
  - the right to call witnesses on his own behalf and to compel their attendance by subpoena,
  - the right to testify himself,
  - the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision,
  - the right to petition for rehearing,
  - the right to be represented at every stage of the proceeding, including the making of any stipulation, by an attorney of his choosing, at his own expense,
  - all other rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.
4. Dr. Hansen is aware and understands that by signing this stipulation he voluntarily and knowingly waives the rights set forth in paragraph 3 above, and does voluntarily and knowingly waive those rights.

5. If the terms of this stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

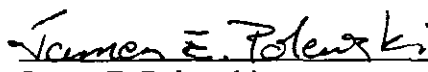
6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Dentistry Examining Board assigned as an advisor in this investigation may appear before the Board for the purpose of speaking in favor of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

  
Jerome J. Hansen, D.D.S.

April 15, 1996  
Date

  
Mark P. Wendorff  
Attorney for Dr. Hansen

April 18, 96  
Date

  
James E. Polewski  
Attorney  
Division of Enforcement

March 27, 1996  
Date

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## NOTICE OF APPEAL INFORMATION

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**Notice Of Rights For Rehearing Or Judicial Review. The Times Allowed For Each. And The Identification Of The Party To Be Named As Respondent.**

**Serve Petition for Rehearing or Judicial Review on:**

STATE OF WISCONSIN DENTISTRY EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

**The Date of Mailing this Decision is:**

May 2, 1996

### 1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

### 2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)